

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor
PROF-2013-S3 Legal title Trust, by U.S. Bank National
Association, as Legal Title Trustee

In Re:
Michael J. Hardy & Theresa Hardy,

Debtors.



Order Filed on August 18, 2017
by Clerk U.S. Bankruptcy Court
District of New Jersey

Case No.: 12-21887-JNP

Adv. No.:

Hearing Date: 5/16/2017 @ 10:00 a.m.

Judge: Jerrold N. Poslusny, Jr.

**ORDER GRANTING STAY RELIEF & RESOLVING MOTION FOR RELIEF FROM
STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: August 18, 2017



Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

(Page 2)

Debtor: Michael J. Hardy & Theresa S. Hardy

Case No: 12-21887-JNP

Caption of Order: ORDER GRANTING STAY RELIEF & RESOLVING MOTION FOR RELIEF
FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PROF-2013-S3 Legal Title Trust, by U.S. Bank National Association, as Legal Title Trustee, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 520 Washington Terrace, Audubon Boro, NJ 08106, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Daniel Reinganum, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 15, 2017, the automatic stay is vacated to permit Secured Creditor to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue Secured Creditor's rights in the land and premises commonly known as 520 Washington Terrace, Audubon Boro, NJ 08106 and there shall be no 14 day stay to this order; and

It is further **ORDERED, ADJUDGED and DECREED** that after August 15, 2017, Secured Creditor, its successors or assigns, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including but not limited to a loan modification, short sale, or deed-in-lieu of foreclosure. Additionally any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code; and

It is further **ORDERED, ADJUDGED and DECREED** that any post-petition arrears pass through the bankruptcy unaffected and are not discharged; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Michael J. Hardy
Theresa S. Hardy
Debtors

Case No. 12-21887-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 18, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 20, 2017.
db/jdb Michael J. Hardy, Theresa S. Hardy, 520 Washington Terrace, Audubon, NJ 08106-2221

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 20, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 18, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor PROF-2013-S3 Legal Title Trust, by U.S. Bank National Association, as Legal Title Trustee bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Brian E Caine on behalf of Creditor Specialized Loan Servicing, LLC, as servicer for Arch Bay Holdings, LLC-Series 2009B bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Daniel L Reinganum on behalf of Debtor Michael J. Hardy dreinganum@MPADLaw.com, kgresh@mpadlaw.com/djamison@mpadlaw.com/lwood@mpadlaw.com/cgetz@mpadlaw.com/r62202@notify.bestcase.com
Daniel L Reinganum on behalf of Joint Debtor Theresa S. Hardy dreinganum@MPADLaw.com, kgresh@mpadlaw.com/djamison@mpadlaw.com/lwood@mpadlaw.com/cgetz@mpadlaw.com/r62202@notify.bestcase.com
Denise E. Carlon on behalf of Creditor PROF-2013-S3 Legal Title Trust, by U.S. Bank National Association, as Legal Title Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
R. A. Lebron on behalf of Creditor RUSHMORE LOAN MANAGEMENT SERVICES, AS SERVICER FOR US BANK, NATIONAL ASSOCIATION, bankruptcy@feinsuch.com
R. A. Lebron on behalf of Creditor Rushmore Loan Management Services as servicer for US BANK, NATIONAL ASSOCIATION bankruptcy@feinsuch.com

TOTAL: 9